

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

FTE NETWORKS, INC.,

Plaintiff,

v.

SUNEET SINGAL, TTP8, LLC, FIRST
CAPITAL MASTER ADVISOR, LLC,
MAJIQUE LADNIER, DANISH MIR,
KHAWAJA ZARGHAM BIN AAMER,
THOMAS COLEMAN, INNOVATIV MEDIA
GROUP, INC., JOSEPH F. CUNNINGHAM,
PETER K. GHISHAN, STEPHEN M.
GOODWIN, and BRUCE M. FAHEY

Defendants.

Case No. 1:22-cv-05960-JHR

**DECLARATION OF SHANE R. HESKIN IN FURTHER SUPPORT OF
PLAINTIFF'S MOTION FOR LEAVE TO AMEND THE COMPLAINT**

SHANE R. HESKIN, pursuant to 28 U.S.C. § 1746, declares under penalties of perjury that the foregoing is true and correct:

1. I am a Partner of White and Williams LLP, attorneys for Plaintiff FTE Networks, Inc. ("FTE" or "Plaintiff") and I make this declaration in support of FTE's motion for leave to amend its Complaint in this action pursuant to Federal Rules of Civil Procedure Rule 15. Unless otherwise noted, I am personally familiar with the facts set forth herein.

2. Attached hereto as **Exhibit 1** is a true and correct copy of Defendant Innovativ Media Group, Inc.'s May 2020 monthly statement from its business account and Bank of America.

3. Attached hereto as **Exhibit 2** is a true and correct copy of the amended complaint filed in the action entitled *Innovativ Media Group, Inc. v. FTE Networks, Inc.*, No A-22-849188-B (Clark Cnty. Nev.) (the "Nevada Action").

4. Attached hereto as **Exhibit 3** is a true and correct copy of the answer filed in the Nevada Action.

Dated: June 1, 2023

WHITE AND WILLIAMS LLP

By: 

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